

REMARKS

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Claims 1-10 were pending in this application when examined.

Claim 1 has been amended to recite “a mixed acid containing sulfuric acid at a concentration in the range of 10 to 30 % by weight and nitric acid at a concentration in the range of 1 to 3 % by weight, at a temperature in the range of from about 60°C to about 100°C”, from claims 3 and 5, as a result of which claims 2-5 and 7-10 have been cancelled.

Claim 6 has been amended to place it in more conventional form according to U.S. practice. Support for the amendments to claim 6 can be found on page 5, line 25 to page 6, line 4 of the specification.

New claim 11 corresponds with claim 1, but adds the step of “separating and recovering the catalytic component-supporting wash coat”. Support for claim 11 can be found on page 3, lines 11-18 of the specification.

New claim 12 corresponds with claim 6, with respect to new claim 11.

I. Personal Interview

Applicants appreciate the courtesies extended to Applicants’ attorney by Examiner Darji and Examiner Bos during the personal interview held June 10, 2010.

During the interview, Applicants’ attorney proposed amending claim 1 to incorporate the features of claims 3 and 5. The Examiners agreed that the proposed amendments would overcome the prior art rejection, because Vesely and JP ‘619 do not disclose or suggest nitric acid at a concentration in the range of 1 to 3% by weight. However, the Examiners indicated that the prior art search must be updated and there is a chance that new prior art could be found. As a result, the Examiners suggested adding a “separating and recovering” step to claim 1.

New claims 11 and 12 incorporate the suggestions made by the Examiners.

II. Claim Rejection Under 35 U.S.C. § 103

The Examiner rejects claims 1-10 under 35 U.S.C. §103(a) as being unpatentable over Vesely (U.S. 3,856,912) in view of Toshiyuki (JP 08-034619). As applied to the amended claims, Applicants respectfully traverse the rejection.

Claim 1 recites “a mixed acid containing sulfuric acid at a concentration in the range of 10 to 30 % by weight and nitric acid at a concentration in the range of 1 to 3 % by weight, at a temperature in the range of from about 60°C to about 100°C”. The references do not disclose or suggest these features.

Vesely discloses 25-90 % sulfuric acid and **37 % nitric acid**, which is clearly outside of the scope recited in claim 1 (see col. 2, lines 5-7).

Toshiyuki discloses, in Comparative Example 6, a composition comprising **45 % nitric acid**, where no noble metals were dissolved.

Accordingly, the reference does not teach or suggest “**a mixed acid** containing sulfuric acid at a concentration in the range of 10 to 30 % by weight **and nitric acid at a concentration in the range of 1 to 3 % by weight**”, as recited in claim 1.

Therefore, claim 1 would not have been obvious over the references.

Claim 6 depends from claim 1, and thus also would not have been obvious over the references.

New claim 11 and 12 include all of the features of claim 1, and thus also would not have been obvious over the references.

Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

III. Conclusion

For these reasons, Applicants take the position that the presently claimed invention is clearly patentable over the applied references.

Therefore, in view of the foregoing amendments and remarks, it is submitted that the rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

Shigeru NAKATSU et al.

By /Andrew B. Freistein/
Digitally signed by /Andrew B. Freistein/
DN: cn=/Andrew B. Freistein/, o=WLP,
ou=WLP, email=afreistein@wenderoth.
com, c=US
Date: 2010.06.30 11:01:07 -04'00'

Andrew B. Freistein
Registration No. 52,917
Attorney for Applicants

ABF/emj
Washington, D.C. 20005-1503
Telephone (202) 721-8200
Facsimile (202) 721-8250
June 30, 2010